

02-08-02

WAYNE J. COLTON, INC.

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February 4, 2002

PATENTS

Box Patent Application
Commissioner for Patents
Washington, D.C. 20231

RE: Invention Title APPETITE SUPPRESSION DEVICE
 Filing Date February 4, 2002
 Inventor(s) David M. TUMEY

 Docket Number 1052.1301

Dear Sir:

Enclosed herewith for filing in the above referenced matter, please find the following:

1. Application for Letters Patent;
2. Declaration, Power of Attorney and Correspondence Address;
3. Request for Non Publication under 35 U.S.C. 122(b)(2)(B)(i);
4. Recordation Form Cover Sheet (with copy thereof);
5. Assignment of David M. Tumey; and
6. Addressed postcard to be returned upon receipt.

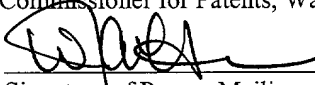
CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR §1.10)

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Date of Deposit: February 4, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service, under 37 CFR §1.10, on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

02/04/2002
Date:


Signature of Person Mailing

Wayne J. Colton
Printed Name of Person Mailing

WAYNE J. COLTON, INC.

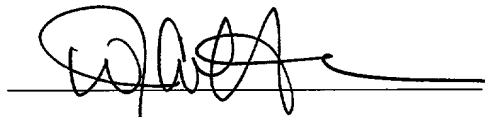
- ☒ **Applicant is a small entity** (if block checked).
- ☐ No fee is required with this filing.
- ☒ Please charge Deposit Account No. 50-0489 in the amount of \$370.00. **A COPY OF THIS LETTER IS ATTACHED.**
- ☐ The Commissioner has been authorized to charge the requisite fee to Deposit Account No. 50-0489.
- ☐ A check in the amount of \$ *** is enclosed herewith.

GENERAL AUTHORIZATION TO CHARGE FEES: The Commissioner is hereby authorized to charge any additional fee as may be required under 37 CFR §§1.16 and/or 1.17 at any time during the prosecution of the above referenced application, or credit any overpayment, to Deposit Account No. 50-0489, without further or more specific authorization.

Dated: 02/04/2002

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Respectfully submitted,



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**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor David M. TUMEY

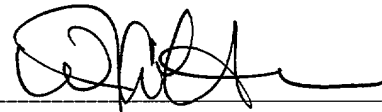
Title APPETITE SUPPRESSION DEVICE

Atty Docket Number 1052.1301

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

02/04/2002
Date


Signature

Wayne J. Colton

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**